

June 18, 2019

Via Electronic Filing

Hon. Jocelyn G. Boyd
Chief Clerk and Administrator
The Public Service Commission of South Carolina
101 Executive Drive, Suite 100
Columbia, SC 29210

Re: Johnson Development Associates, Incorporated's Position on Keeping Open Docket No. 2019-176-E South Carolina Energy Freedom Act (H.3659) Proceeding to Establish Each Electrical Utility's Standard Offer, Avoided Cost Methodologies, Form Contract Power Purchase Agreements, Commitment to Sell Forms, and Any Other Terms or Conditions Necessary (Includes Small Power Producers as Defined in 16 United States Code 796, as Amended)

Dear Ms. Boyd:

Johnson Development Associates, Incorporated ("JDA") respectfully requests that the Public Service Commission of South Carolina ("Commission") keep open Docket No. 2019-176-E in accordance with Act No. 62 of 2019 ("the Act"). Docket No. 2019-176-E was opened by this Commission on May 23, 2019. On May 29, 2019, the Commission subsequently instructed staff to open dockets under the Act for Dominion Energy South Carolina¹, Duke Energy Carolinas², and Duke Energy Progress³. Commissioners expressed opinions that numerous issues involved in the proceedings under the Act should be consolidated for judicial economy. Docket No. 2019-176-E is the proper procedural tool for such consolidation.

The Commission was correct to open Docket No. 2019-176-E in accordance with the Act. SC Code § 58-41-20(A) states, in part, that "the commission shall open **a docket** for the purpose of establishing each electrical utility's standard offer, avoided cost

¹ Docket No. 2019-184-E.

² Docket No. 2019-185-E.

³ Docket No. 2019-186-E.

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methodologies, form contract power purchase agreements, commitment to sell forms, and any other terms or conditions necessary to implement this section.” The Act further provides that the decisions reached in these proceedings shall be “just and reasonable to the ratepayers”⁴ and in compliance with the express mandate that is South Carolina’s “policy of encouraging renewable energy.”⁵ JDA sees the Commission’s action in opening Docket No. 2019-176-E as effectuating the legislative intent of the Act. It is JDA’s belief that there will be substantial commonality of law and fact in issues including, but not limited to, power purchase agreement term of length, form contract power purchase agreements, commitment to sell forms, and a potential South Carolina standard avoided cost methodology.

Consolidation of common issues into Docket 2019-176-E is the proper avenue to promote efficiency which will serve to protect ratepayers, avoid unnecessary costs or delay, and further the state’s explicit policy of encouraging renewable energy. For these reasons and for those interpretations of the Act which will be presented on June 26, 2019, during JDA’s Allowable *Ex Parte* Briefing, we respectfully request that this Commission keep open Docket No. 2019-176-E and use it for consolidation where appropriate.

Very truly yours,

s/ James H. Goldin
James H. Goldin

JHG:jc
Enclosure

Cc: Nanette S. Edwards, ORS (via email)
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⁴ SC Code § 58-41-20(A).

⁵ SC Code § 58-41-20(F)(2).